

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
ATHENS DIVISION**

CEDDRICK DEMON MERCERY,	:	
	:	
Movant,	:	
v.	:	Case No. 3:21-cr-9-CAR-CHW-1
	:	
UNITED STATES OF AMERICA,	:	Proceedings Under 28 U.S.C. § 2255
	:	Before the U.S. Magistrate Judge
Respondent.	:	
	:	

ORDER

Following a guilty plea to a superseding indictment (Docs. 53, 111, 112), the Court sentenced Movant Ceddrick Demon Mercery on November 9, 2022 (Doc. 119), and entered judgment on November 15, 2022. (Doc. 120). Mercery did not appeal. Over two years later, he has filed a Motion to Vacate pursuant to 28 U.S.C. § 2255. (Doc. 131).

Mercery failed to use the standard form petition for § 2255 motions. Therefore, the Court is unable to conduct an initial review of his motion in accordance with the provisions of Rule 4 of the Rules Governing Section 2255 Proceedings for the United States District Courts at this time. It is **ORDERED** that Mercery **RECAST** his § 2255 motion to vacate **within 30 days of the date of this order**, in which he must clearly enumerate all his grounds for habeas relief. If Mercery fails to recast his motion, Mercery will be presumed to have deliberately waived his right to complain of any constitutional errors or deprivations other than those set forth in the original motion. Additionally, when prompted by the form, Mercery is advised to explain why the one-year statute of limitations contained in 28 U.S.C. § 2255 should not bar his motion.

The Clerk of Court is **DIRECTED** to provide Mercery with a copy of the required § 2255 form petition.

SO ORDERED AND DIRECTED, this 3rd day of February, 2025.

s/ Charles H. Weigle
Charles H. Weigle
United States Magistrate Judge